



DEPARTMENT OF PLANNING
STAFF REPORT

PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: October 15, 2009

ZMAP 2007-0004 National Conference Center

DECISION DEADLINE: December 30, 2009

ELECTION DISTRICT: Broad Run

PROJECT PLANNER: Ginny Rowen

EXECUTIVE SUMMARY

WXIII/Oxford DTC Real Estate, LLC of Lansdowne, Virginia has submitted an application to rezone approximately 46.6 acres from the PD-SA (Planned Development – Special Activity) zoning district to the PD-H4 (Planned Development – Housing) zoning district under the Revised 1993 Zoning Ordinance in order to develop up to 212 residential units (including 23 affordable units) at a density of 4.6 dwelling units per acre (consisting of 45 single-family detached, 105 single-family attached, and 62 multi-family units). The proposed development is located at the northern terminus of Upper Belmont Place (Route 659) and southwest of Ridgeback Court in the Lansdowne community. The applicant is requesting modifications of the Zoning Ordinance to allow a single point of access to serve the development, to eliminate internal open space buffers, to allow private streets to serve the single family detached units, and to allow the existing surface parking lots to temporarily serve the National Conference Center site while a new parking garage is constructed. The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Ashburn Community)) and the 2001 Revised Countywide Transportation Plan, which designate the property for Residential development at a density up to 4 units per acre.

RECOMMENDATIONS

Staff does not support the application since the proposal fails to mitigate impacts and justify the zoning modification requests. Staff has concerns regarding:

- economic development impacts;
- zoning impacts;
- transportation impacts;
- public school impacts;
- environmental impacts;
- adequacy of open space / civic facilities; and
- capital facilities impacts.

SUGGESTED MOTIONS

1. I move that the Planning Commission forward ZMAP 2007-0004, National Conference Center, to the Board of Supervisors with a recommendation of denial, based on the outstanding issues and the Findings contained in the staff report.

OR
2. I move that the Planning Commission forward the application to a work session for further discussion.

OR
3. I move that the Planning Commission forward ZMAP 2007-0004, National Conference Center to the Board of Supervisors with a recommendation of approval, including the draft Proffer Statement dated September 25, 2009.

Directions from Leesburg: Proceed east on Route 7 to Belmont Ridge Road. Make a left onto Belmont Ridge Road and continue past Belmont Ridge Middle School and the existing guardhouse to the subject site on the right.

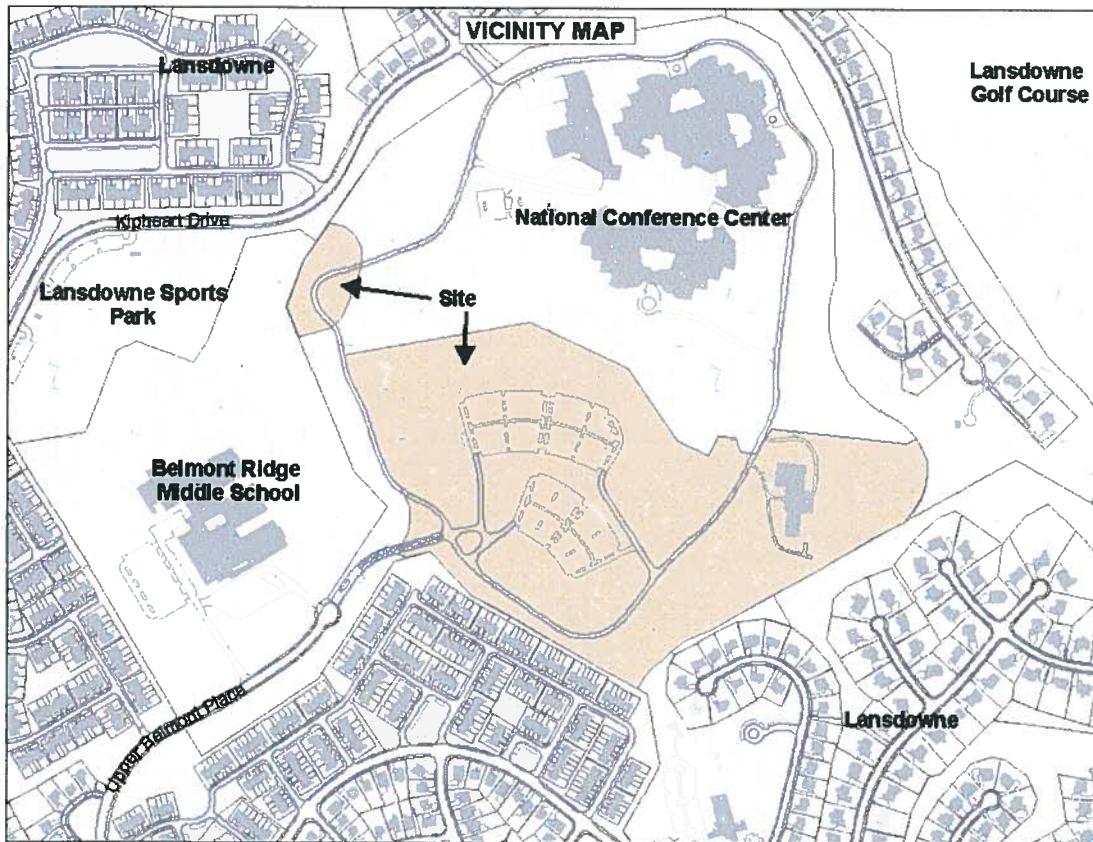


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I. APPLICATION INFORMATION

APPLICANT / OWNER: WXIII/ Oxford DTC Real Estate LLC
James Gulson
18940 Upper Belmont Place
Leesburg, Virginia 201756
(703) 724-6545

REPRESENTATIVE: Cooley Godward Cronish, LLP
Antonio Calabrese and Ben Wales
11951 Freedom Drive
Reston, Va. 20190
(703) 456-8500

APPLICANT'S REQUEST Rezone 46.6 acres from PD-SA (Special Activities) to PD-H4 to develop up to 212 residential units. Application accepted on August 23, 2007.

LOCATION East side of Upper Belmont Place across from Belmont Ridge Middle School and south of the existing National Conference Center

TAX MAP/PARCEL # Tax Map 50 / Parcel 4, MCPI 081-36-9067
MCPI #

ZONING PD-SA (Planned Development –Special Activities)

ACREAGE OF SITE approximately 46.6 acres

SURROUNDING ZONING/ LAND USES

	ZONING	PRESENT LAND USES
North	PD-SA (Special Activities)	National Conference Center
South	PD-H3 (Housing)	residential
East	PD-H3 (Housing)	residential
West	PD-SA (Special Activities)	Belmont Ridge Middle School

II. SUMMARY OF DISCUSSION

Topic Area	Issues Examined and Status
Comprehensive Plan	<ul style="list-style-type: none"> • Consistency with RGP- residential uses up to 4 du / acre (application proposes 4.6 du/ac including Affordable Units – density bonus permitted with ADUs). Issue status: no outstanding issues • Applicant proposing to use existing recreational facilities constructed in the 1970s - commitment needed to upgrade facilities. Issue status: outstanding issue • Applicant proposing to use existing facilities constructed in the 1970s for civic uses - commitment needed to upgrade facilities. Issue status: outstanding issue • Capital facility credit requested for relocation / construction of tot lot in Lansdowne Sports Park – Plan policies allow credits for land dedications to County. Issue status: outstanding issue
Zoning	<ul style="list-style-type: none"> • Purpose of PD-H district includes provisions for development of supporting non-residential uses – none provided. Issue status: outstanding issue • Compatibility with adjacent PD-SA district. Issue status: outstanding issue • Remaining Conference Center site would exceed permitted density / additional information needed. Issue status: outstanding issue • Land Bay O-6 does not meet minimum district size requirements. Issue status: outstanding issue • Modification requests to eliminate internal buffers, to allow private streets to serve single family detached units, and to allow a single point of access to serve the development do not exceed public purpose of regulations. Issue status: outstanding issue • Proffers currently under staff review. Issue status: outstanding issue

Transportation	<ul style="list-style-type: none"> Traffic impacts have not been mitigated. Unacceptable Levels of Service will be created at the intersection of Riverpoint Drive and Upper Belmont Place. Issue status: outstanding issue
Environmental	<ul style="list-style-type: none"> Preservation of additional mature vegetation recommended. Issue status: outstanding issue No details provided on CDP / proffers regarding stormwater management approach. Issue status: outstanding issue
Public Schools	<ul style="list-style-type: none"> 109 additional school-age children anticipated. Seldens Landing ES / Stone Ridge HS over capacity. Belmont Ridge MS close to capacity. Issue status: outstanding issue
Economic Development	<ul style="list-style-type: none"> Residential encroachment into PD-SA area will create future land use conflicts. Issue status: outstanding issue

Applicable Policy or Ordinance Section
<u>Revised General Plan, Bicycle and Pedestrian Mobility Master Plan,</u> Suburban Policy Area: Chap.6, Land Use Pattern & Design # 8, Chap. 6, Residential Neighborhoods # 2, 3, 4, 4d, Chap. 6, Open Space # 1, 3, 6, 7, 9, Green Infrastructure: Chap. 5, River & Stream Corridor Resources # 2, 4, 5, 18c, 18g, Surface & Groundwater Resources text, Surface Water # 16, 2, 5, Steep Slopes & Moderately Steep Slopes # 1, 3, Forest, Trees & Vegetation text, Historic & Archeological Resources # 3, 11, Lighting & Night Sky text, Housing # 1, 2, 3, 14, Proffers # 3, Capital Facilities # 4c.
<u>2001 Revised Countywide Transportation Plan (CTP)</u>
<u>Revised 1993 Zoning Ordinance</u> – PD-SA (Section 4-700 – Special Activities), PD-H (Section 4-100 Housing), R-8 (3-500 Single Family Residential), R-16 (3-600 Townhouse / Multifamily Residential)

III. FINDINGS

- The application does not meet the purpose of a PD-H zoning district which requires the development of supporting non-residential uses. There are no non-residential supporting uses proposed in the application.

2. Residential encroachment into a PD-SA district will lead to future land use conflicts.
3. Development on the remaining Conference Center site appears to exceed the permitted .4 Floor Area Ratio allowed in PD-SA zoning districts.
4. The proposed zoning modifications to allow private streets to serve single family detached units, to eliminate internal buffer yards, and to allow a single vehicular access point for 212 units, do not exceed the public purpose of the regulations.
5. Traffic impacts have not been mitigated. Unacceptable Levels of Service at the intersection of Riverpoint Drive and Upper Belmont Place will be created.
6. Environmental impacts have not been mitigated. No details have been provided regarding the stormwater management approach that will be implemented and additional mature vegetation should be preserved.
7. Schools that would serve the subject site are currently over capacity or close to capacity.

IV. PROJECT REVIEW

A. Context

The applicant is requesting to convert approximately 46.6 acres from the PD-SA (Special Activity) zoning district to the PD-H4 (Housing) district to develop up to 212 residential units (including 23 affordable units). In 1971, a special exception (SPEX 1971-0006) was approved to allow the development of the 1.2 million square foot Xerox Document University (now known as the National Conference Center) in Lansdowne. At that time, the property was zoned A-1 (Agriculture Residential) and the development was intended to serve training and educational needs of Xerox. The property was rezoned to a PD-SA designation in 1995 in order to reflect the unique nature of the existing conference center facilities. Subsequently, the property was sold to a new owner that rents the facilities for small and large-scale corporate and social events.

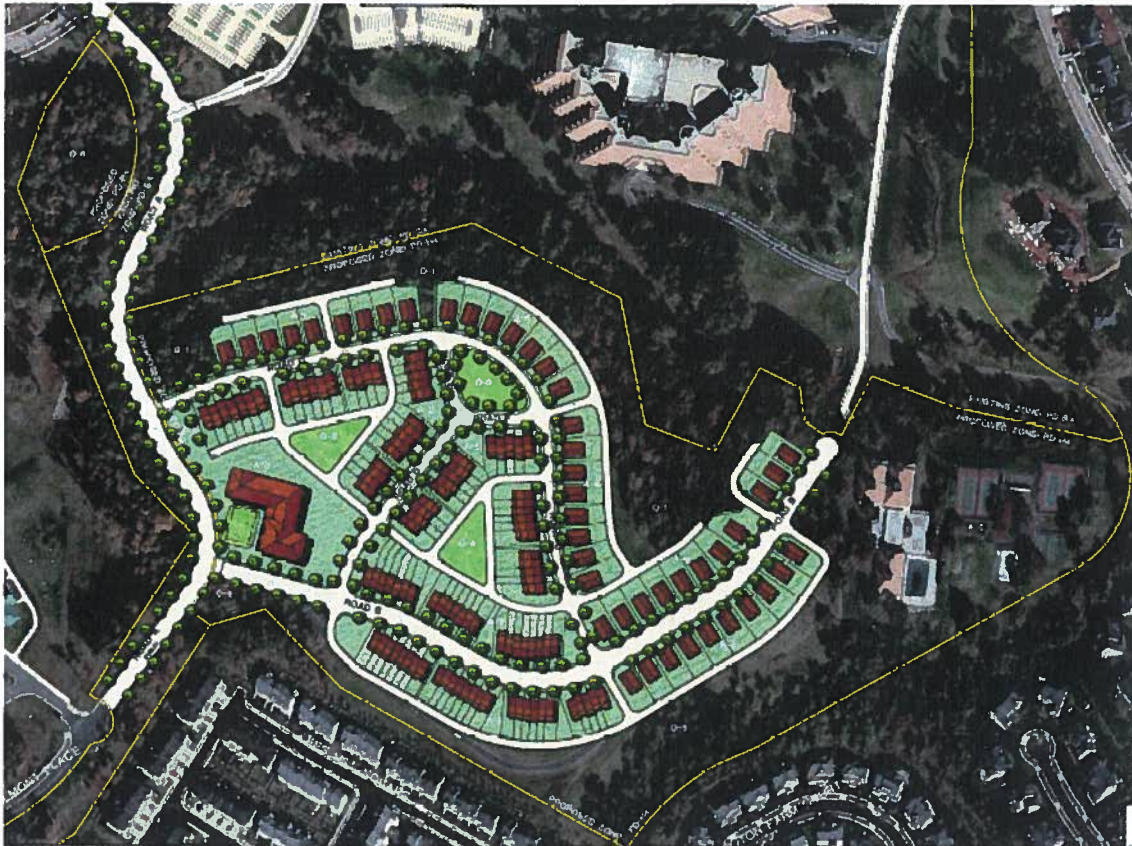
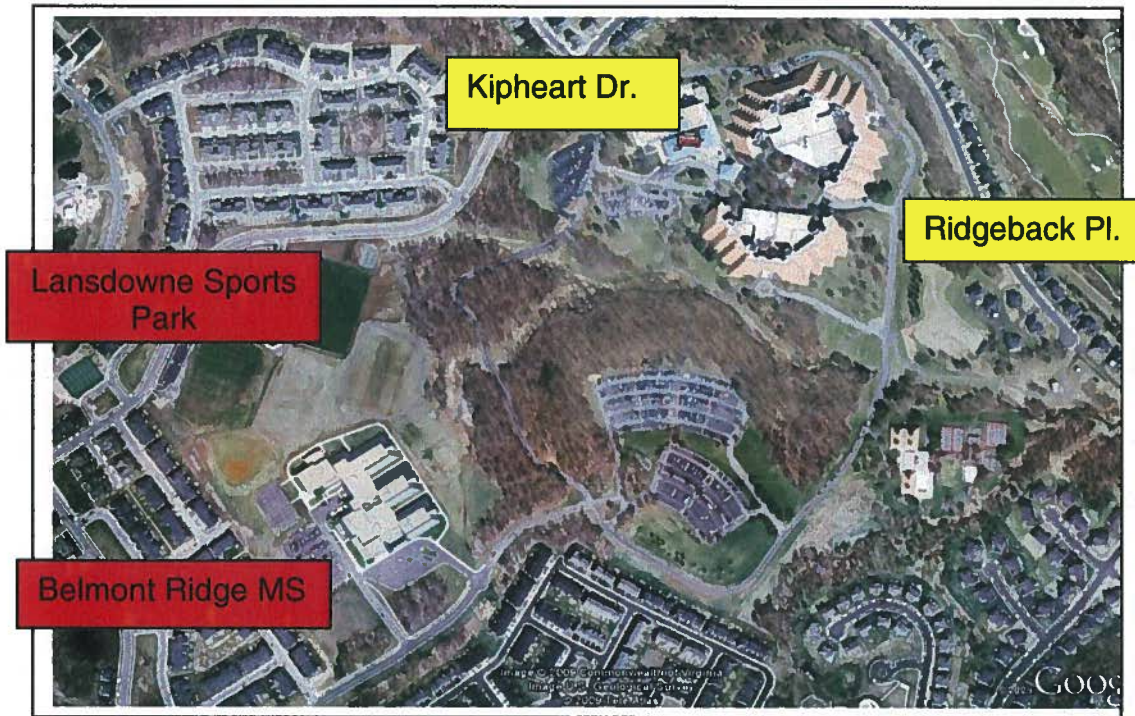
The National Conference Center contains 265,000 square feet of meeting space, 917 guest rooms, a 17,000 square foot ballroom / multipurpose rooms which are available for small and large-scale corporate and social events. The dining facilities can accommodate seating for 1,200 people. There are indoor recreational facilities for the guests as well as the Black Olive Sports Bar which is open to the public on a limited basis depending on the size of event that is using the facilities. If the residential rezoning is approved, the remaining PD-SA area will be 115 acres (consisting of the National Conference Center, Belmont Ridge Middle School, and the Lansdowne Sports Park). It is the only Special Activities zoned district in the County.

In 1985, the 2,267 acre Lansdowne site was rezoned from A-3 (Agricultural Residential) to PDH-12 (Planned Development –Housing) and PD-OP (Planned Development –

Office Park). The proposal was amended in 1988 to allow the development of a high-density office / commercial core. In 1991, a concept plan amendment (ZCPA 1990-0006) was approved to accommodate the development of a 545 acre Washington International University site. In 1995, the high density office / commercial core was deleted and the university site was reduced to a 50-acre site for educational / institutional uses (currently zoned PD-SA and developed with the Belmont Ridge Middle School and the Lansdowne Sports Park). The majority of the remaining area in Lansdowne was then approved for the development of conventional residential units (single-family detached and attached) and age-restricted units (Leisure World) in the northeast portion of Lansdowne. In 2001, 278 additional age-restricted units were approved in Leisure World.

In 2006, the Lansdowne Village Greens application approved the development of a town center containing up to 390 units and 385,000 square feet of commercial and retail uses as well as 155 units in an adjacent residential component (total of 545 units approved). The total number of residential units currently approved in the Lansdowne community is 3,520 conventional residential units and 2,278 age-restricted units. Approval of the current application would increase the number of conventional residential units in Lansdowne to 3,732, and would decrease the PD-SA area by 46.6 acres (total PD-SA area remaining after rezoning is 115.68 acres). The subject site is located in the north central portion of Lansdowne at the northern end of Upper Belmont Place. It is bordered on the east and south by residential uses, on the west by the Belmont Ridge Middle School site and on the north by the National Conference Center site.

An unnamed tributary to the Potomac River is located in the northern portion of the subject site. This area also contains floodplain and steep slopes. The southwestern portion of site also contains areas of steep slopes. The site contains a considerable amount of high-quality mixed hardwoods. The applicant's Statement of Justification notes that there are two existing surface parking lots containing 727 parking spaces (Concept Development Plan says 747 spaces) that are used for National Conference Center events / employees. The eastern portion of the site is developed with a Sports-Plex that was constructed in the 1970s in conjunction with the development of the Xerox Document University. The aerial photograph on the following page depicts the existing National Conference Center site, the Belmont Ridge Middle School site, the Lansdowne Sports Park, and the surrounding residential development. The next graphic depicts the proposed residential development in the southern portion of the Conference Center site.



PROPOSED RESIDENTIAL DEVELOPMENT

B. Summary of Outstanding Issues

Staff has identified outstanding issues regarding:

- Environmental impacts – A significant number of trees will be removed with this development. Staff has recommended the preservation of additional mature vegetation. No stormwater management details have been provided on the Concept Plan or in the Proffer Statement. These details are needed to fully assess environmental impacts to the site;
- Public school impacts – 109 school-age children are anticipated from the development. The school sites that would serve this development are currently over capacity or close to capacity (based on 2008 numbers). Preliminary enrollment counts for the 2009 – 2010 school year show that Belmont Ridge Middle School is over capacity;
- Transportation impacts – traffic impacts have not been mitigated. Unacceptable Levels of Service will be created at the intersection of Riverpoint Drive and Upper Belmont Place;
- Zoning impacts – the proposal is incompatible with the existing conference center, the existing conference center exceeds the permitted FAR on the remaining site area (.4 FAR permitted), the proposal does not meet the purpose of a PD-H district (there are no supporting non-residential uses within the proposal), the size of land bay O-6 does not meet Zoning Ordinance requirements for PD-H districts, the zoning modification requests do not exceed the public purpose of the regulations;
- Economic development impacts – the encroachment of residential development into an existing PD-SA district will create future land use conflicts;
- Open space / civic component - the open space / civic facilities proposed for the community were constructed in the 1970s and are in need of substantial repairs before they are dedicated to any Homeowners Association; and
- Capital facilities impacts - the applicant is requesting a \$30,000 credit to relocate and construct a tot lot in the County-owned Lansdowne Sports Park. Plan policies only allow credits for land dedications to the County.

C. Overall Analysis

COMPREHENSIVE PLAN GUIDANCE

The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the Revised General Plan and the 2001 Revised Countywide Transportation Plan (CTP). The policies of the Loudoun County Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) also apply to the property. The Revised General Plan identifies the subject site as suitable for Residential development. The County may permit a rezoning up to 4 dwelling units per acre in Residential neighborhoods.

The applicant is proposing to develop 212 residential units on the subject site at a density of 4.6 dwelling units per acre (consisting of 45 single-family detached units, 105

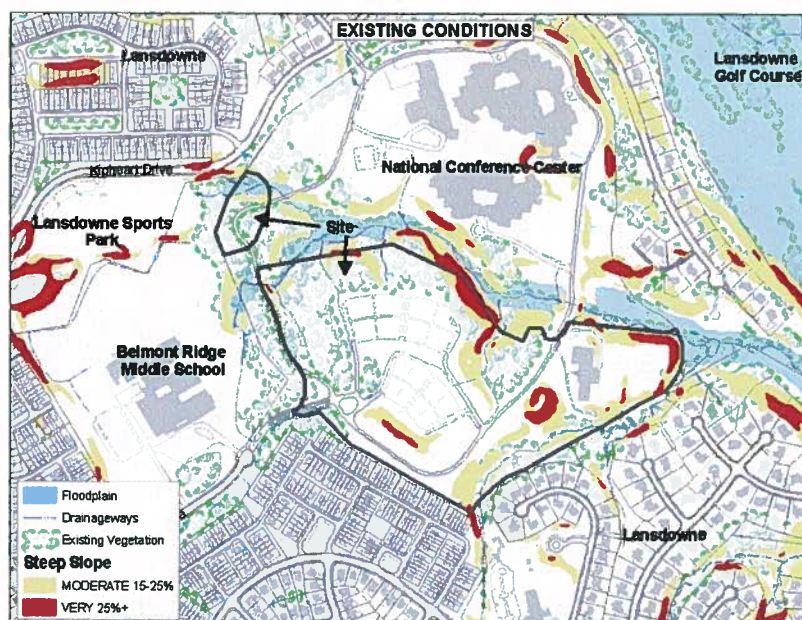
single-family attached units and 62 multi-family units). Article 7-103 of the Revised 1993 Zoning Ordinance permits a 20 percent density bonus for single-family detached / attached units and a 10 percent bonus for multi-family units when Affordable Dwelling Units (ADUs) are provided. The applicant is providing 23 ADUs as anticipated by the zoning regulations. The proposed residential density is consistent with the Revised General Plan policies. Surrounding residential uses consist of townhouses to the southwest and single family detached units to the southeast and east. Although the application meets the Residential land use and density policies contained in the Revised General Plan, staff notes that there are Plan policies for Special Activities areas that recommend a significant separation between residential development and PD-SA development based on potential land use conflicts and traffic impacts.

IMPACTS OF PROPOSED RESIDENTIAL DEVELOPMENT

ENVIRONMENTAL ISSUES

Forests, Trees, and Vegetation

The Plan states that the County's forests and trees improve air and water quality, offer important habitat for wildlife, are excellent buffers between communities, conserve energy, reduce wind speed and redirect airflow, reduce stormwater runoff and soil erosion, and can increase real property values. The site contains a considerable amount of high quality mixed hardwoods. Staff's preference would be to maintain the existing development envelope (consisting of the two existing surface parking lots) with minimal encroachment into the existing mature vegetation.



The applicant's proposal delineates Tree Conservation Areas (TCAs) within open space land bay O-1 (northern perimeter) and O-5 (southeastern perimeter), however, staff

maintains that land bay O-3, which is designated as a half acre internal open space could incorporate additional existing vegetation. There is also a large area of existing vegetation on the south side of the southern entrance into the site that could be preserved in a TCA. In general, staff recommends retaining as much mature vegetation as possible.

River and Stream Corridor Resources

The subject site contains river and stream corridor resources as defined by the Revised General Plan. An unnamed tributary to the Potomac River is located in the northern portion of the subject site. The unnamed tributary, adjoining floodplains, adjacent steep slopes, and the 50-foot management buffer surrounding a majority of the steep slopes, constitute the river and stream corridor resources. In accordance with Plan policies, the applicant has depicted these environmental features accurately along the northern site boundary. It appears from the applicant's open space exhibit, that areas of steep slopes will extend into five single family detached lots. The river and stream corridor resources and tree conservation area are proposed along the northern boundary of the site.

Stormwater Management Approach

Plan policies call for the protection of natural streams from the harmful effects of increased stormwater volume and velocity resulting from development. In addition, the County promotes water conservation through low impact design (LID) techniques. LID uses natural vegetation and small-scale treatment systems to treat and infiltrate rainfall close to the source. The goal of LID is to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain stormwater runoff. LID locates water quality measures at close as possible to proposed impervious areas.

The applicant has not provided any stormwater management details on the Concept Plan or in the draft proffers. The applicant needs to provide sufficient on-site stormwater management facilities in order to mitigate environmental impacts of the proposed development. A complete assessment of environmental impacts cannot be determined without this information.

PUBLIC SCHOOLS

Staff has reviewed the request and notes that the approval of 212 units (consisting of 45 sfd, 105 sfa, and 62 mf) will generate 109 school-age children. Based on the number and type of units proposed, 55 elementary, 25 middle, and 29 high school age children are anticipated. Based on current School Board adopted boundaries, the development would be served by Seldens Landing Elementary School, Belmont Ridge Middle School and Stone Bridge High School. Seldens Landing and Stone Bridge are currently over capacity and Belmont Ridge is close to capacity (based on 2008 numbers). Preliminary enrollment counts for the 2009 – 2010 school year show that Belmont Ridge Middle School is also over capacity. Official counts are anticipated mid to late October.

TRANSPORTATION

The subject site, which is located in the southern portion of the National Conference Center site, currently contains two large surface parking lots for the existing facilities. If the residential proposal is approved, these surface lots will be replaced by a parking garage located closer to the Conference Center. No details have been provided regarding the proposed garage. Access to the site is provided by Upper Belmont Place which is an extension of Belmont Ridge Road to the south. The northern portion of Upper Belmont Place is currently a one-way loop road around the Center. It would be converted to a two-lane facility (depicted as ROAD A on the Concept Plan) and would serve the proposed residential units as well as the traffic associated with the Conference Center.

During review of the application, concerns were raised regarding the single vehicular connection to Upper Belmont Place (serving the Conference Center traffic as well as the traffic associated with the proposed residential development). Based on these concerns, the applicant revised the application to extend Upper Belmont Place, across a portion of the existing Lansdowne Sports Park to connect with Kipheart Drive (north of the subject site). This connection will allow traffic from the proposed residential community and event traffic from the Conference Center to use Upper Belmont Place and Kipheart Drive for site access.

Existing Roads

Upper Belmont Place is a local street that provides direct access to the site and the existing National Conference Center. It intersects Riverside Parkway opposite Belmont Ridge Road in Lansdowne and runs north as a four-lane divided road to Riverpoint Drive. It continues north from that point as a two-lane local road to the two entrances into Belmont Ridge Middle School (located on the west side of the street). Immediately to the north of the northernmost entrance to the Middle School, the road passes through the National Conference Center gatehouse and transitions to a one-way loop road around the Center.

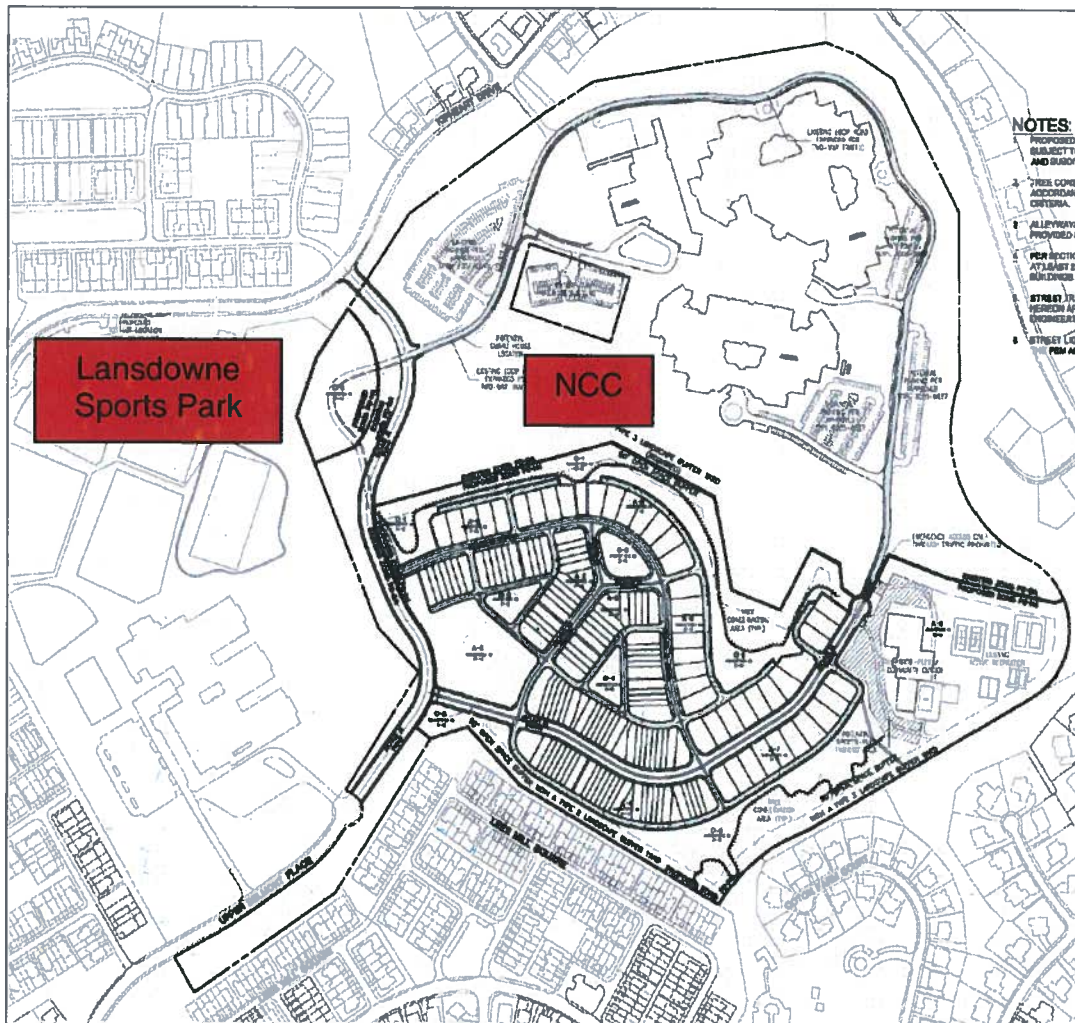
Riverpoint Drive is a local street that intersects Upper Belmont Place just north of Riverside Parkway. It provides local residential access within the Lansdowne community. Stop signs are in place on both sides of Riverpoint Drive at the intersection with Upper Belmont Place.

Kipheart Drive is a local residential street within Lansdowne. It also provides access to the Lansdowne Sports Park (northwest of Belmont Ridge Middle School). An emergency access point is in place between the Conference Center and Kipheart Drive opposite Thomas Lee Way.

Belmont Ridge Road (between Route 7 and Riverside Parkway) is a four-lane divided roadway, classified in the 2001 Revised CTP as a major collector. It is ultimately planned to be widened to a six-lane divided (U6M) facility. A grade-separated

interchange is planned (currently unfunded) at the intersection of Belmont Ridge Road and Route 7.

Riverside Parkway is the Route 7 north collector road. The segment through Lansdowne is classified in the 2001 Revised CTP as a major collector, and is ultimately planned to be widened to a six-lane divided (U6M) facility. The intersection at Belmont Ridge Road and Riverside Parkway is signalized.



SITE LAYOUT (ADJACENT USES / SURROUNDING ROADS)

Trip Generation

Based on standard trip generation rates, the development of 212 additional residential units would generate a total of 1,736 average daily trips (ADT) on the surrounding road network. This figure includes 129 AM peak hour trips and 167 PM peak hour trips.

Levels of Service (LOS)

A previous traffic analysis dated July 2008, showed a failing AM peak hour LOS on westbound Riverpoint Drive at Upper Belmont Place under existing and future conditions. At a meeting with the applicant's representatives, it was agreed that the applicant should conduct further analyses of this intersection (1) under an all-way stop scenario, and (2) by means of actual field observations and counts. The applicant provided a supplemental analysis on September 18, 2009 for staff review. Based on this additional analysis, unacceptable levels of service will occur on westbound Riverpoint Drive at Upper Belmont Place. Transportation staff does not support a four-way stop at this intersection. The applicant has not mitigated traffic impacts associated with the proposed development.

LAND USE MIX

Open Space / Civic Space Facilities

Plan policies state that Residential Neighborhoods will fully incorporate open space at a minimum of 30 percent of the gross acreage of the property, totaling approximately 13.9 acres for the subject property. Open space should consist of a mix of active and passive and/or natural areas. Open space policies state that 75 percent of the required open space should consist of interior open space. Plan policies also state that while the river and stream corridor resources will be protected, only 50 percent of the open space requirement may be satisfied by this area.

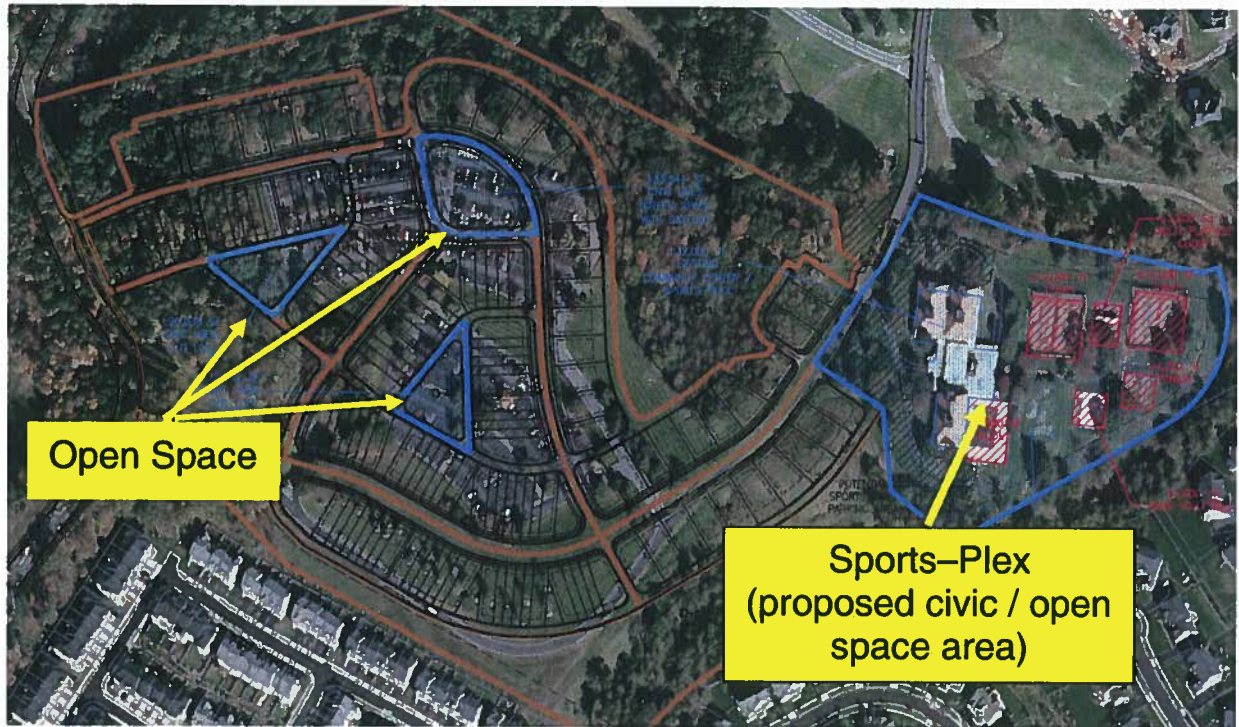
Civic spaces play an important role in residential neighborhoods by providing a place for residents to meet and hold events. They contribute to the community's identity and aesthetics. Civic uses should consist of public gathering places that create a focal point for the community. The Revised General Plan calls for residential neighborhoods to provide 10 percent (4.6 acres) of the gross acreage as civic space.

The applicant is proposing to use the existing Sports-Plex, located in the eastern portion of the subject site as the active recreation component and the civic component for the property (see civic / open space exhibit next page). The Sports-Plex was constructed in conjunction with the development of the Xerox Document University in the early 1970s. The Sports-Plex includes six tennis / multi-use courts, a 25 ft swimming pool, two basketball courts, a sand volleyball court, a squash court, three racquetball courts, a multi-purpose gym and changing facilities.

During review of this application, staff noted that the indoor and outdoor court surfaces, fencing, roof, and heating, ventilation, and air conditioning system are aging and had recommended upgrading the facilities since the area is proposed to serve as the active recreational and civic components for this development. The applicant has not agreed to make these upgrades.

Staff maintains that a thorough analysis of the existing facilities should be conducted and they should be upgraded before they are dedicated to any Homeowners

Association. In addition, staff questions how these facilities can effectively serve as the civic component of this development as well as the National Conference Center staff and guests. Proffer VIII.D.3 currently states that the Sports-Plex / Community Center will be made available to Conference Center guests and staff at no cost. This would require the Homeowners Association to cover all maintenance costs in the future.



Capital Facilities Credit

Under the Revised General Plan, the County anticipates developer assistance at 100% of the capital facility cost per market rate dwelling unit above the base density of the site. As of July 21, 2009, the County anticipates a contribution of \$ 59,470 per single family detached unit, \$40,385 per single family attached unit, and \$23,758 per multifamily unit. The total capital facilities impact of the proposed 212 units is \$8,389,571. The applicant's anticipated contribution after the deduction of 23 affordable dwelling units is \$7,527,224.

The applicant is requesting a \$30,000 credit for the relocation of an existing tot lot in the County-owned Lansdowne Sports Park. During review of the application, the applicant proposed crossing a portion of the Sports Park to provide an additional vehicular connection to Kipheart Drive. Staff discussed the possibility of a land exchange and the relocation of the existing tot lot in order to move the play facilities closer to an existing pavilion and bathroom facilities. (Staff notes that only the Board of Supervisors can approve the applicant's proposed road connection across the County-owned Sports Park.) Plan policies state that credits can only be provided for land dedications to the

County; therefore, a \$30,000 credit for the relocation of the tot lot should be removed from the draft proffers.

ZONING ISSUES (RESIDENTIAL)

Purpose of PD-H district

The purpose of the Planned Development-Housing (PD-H) zoning district is to provide for a variety of housing types in neighborhood settings with supporting non-residential uses in a planned environment fostering a strong sense of community. The application does not propose any additional supportive non-residential uses in this development. The applicant has not demonstrated that the proposed rezoning will not further burden the existing non-residential supporting uses in the surrounding community (schools, parks, etc.).

The closest retail area is the Lansdowne Town Center which is approximately 3/4 of a mile away from this site and is not within easy walking distance for homeowners of the proposed development. The applicant has provided a graphic that depicts a public restaurant in the National Conference Center; however, access to the facilities can be limited based on the size of the group using the facilities. The graphic also depicts Seldens Landing Elementary School and Belmont Ridge Middle School which are currently over capacity (based on 2009 preliminary enrollment counts). Staff maintains that the application does not meet the purpose of a PD-H zoning district.

Size of Land Bay O-6

The proposal depicts a 2-acre area designated as land bay O-6 (open space) adjacent to the Belmont Ridge Middle School / Lansdowne Sports Park sites. The intent of this open space area is to provide additional land for park facilities in exchange for the road connection to Kipheart Drive across existing park land. The 2-acre area is not contiguous to a PD-H zoning district. Section 4-102 of the Revised 1993 Zoning Ordinance requires a minimum district size of 25 acres for the creation of a PD-H4 district.

IMPACTS ON CONFERENCE CENTER SITE

ECONOMIC DEVELOPMENT ISSUES

The Department of Economic Development's main goal is to support the formation, expansion, retention, and location of appropriate industries and businesses in the County. Successful economic development helps to create a high quality community while keeping tax rates competitive.

The applicant is requesting to convert PD-SA zoned land to PD-H4 to allow the development of 212 residential units. This is the only site zoned PD-SA in the County which allows a variety of large-scale commercial uses. The National Conference Center

is one of the largest conference centers in the eastern United States and it offers a secluded environment for corporate and social events. The addition of housing adjacent to this unique facility is not encouraged. The applicant is encouraged to retain the existing buffer around the National Conference Center to avoid residential encroachment into the area. The residential conversion of land adjacent to the National Conference Center creates a potential land use conflict with the secluded environment that exists today.

ZONING ISSUES (CONFERENCE CENTER SITE)

Compatibility with adjacent PD-SA district

The intent of the Planned Development – Special Activities district is to accommodate those uses which require a sizable land area and provide a functional separation between residential uses based on potential impacts. As noted previously, the National Conference Center, which contains 1.1 million square feet of corporate and social event space is developed on the northern portion of the property. The adjacent PD-SA zoned area was previously built out with the development of the Belmont Ridge Middle School and the Lansdowne Sports Park immediately to the west. Staff maintains that residential encroachment into the National Conference Center site would limit future development. The residential proposal is not compatible with this existing 1.1 million square foot facility based on potential noise, lighting, parking, and traffic impacts.

Conference Center FAR

The applicant's most recent draft proffers dated September 25, 2009 increased the area of the residential rezoning request from 45.6 acres to 46.6 acres. Based on this one acre reduction on the remaining Conference Center site, it appears that the existing gross floor area depicted on sheet 6 of the concept plan (1,113,347 square feet) exceeds the permitted .4 FAR (1,105,727 square feet). Staff notes that all of the calculations provided on the concept plan need to be revised in accordance with this recent acreage change in the proffers. Staff continues to request information regarding the proposed parking garage on the Conference Center site in order to ensure compliance with zoning district requirements.

ZONING MODIFICATION REQUESTS

No modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulation. No modification will be granted for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project. Staff has reviewed the following modifications requests for the application:

1. Section 1-205(A) Lot Access Requirements.

Provision: No structure requiring a building permit shall be erected upon any lot which does not have frontage on a Class I, Class II, Class III road, or private access easement as specified in the individual district regulations, except as specifically provided for herein and the Land Subdivision and Development Ordinance (LSDO).

Applicant Request: To permit access to single family detached units via private streets.

Applicant Justification: The applicant believes the proposed ZMOD constitutes an innovative design for the following reasons:

- Proposal will allow the provision of narrower roads and reduced impervious surfaces and surface run-off.
- Provision of narrower streets will assist fostering of a sense of community and pedestrian activity and connectivity. This is based on the concept that traffic flows slower along narrower streets with on-street parking.
- Proposal will allow development of a consistent streetscape throughout development and not result in the development of both public and private streets within the neighborhood.
- Proposed roads will be constructed to meet FSM standards, but privately maintained resulting in less financial burden on County residents.

Staff Analysis: Staff questions how providing units that front on public streets creates pocket communities and precludes a close-knit community. Traditional design concepts that foster a sense of community can be achieved using public streets in the R-8 and R-16 zoning districts. Staff maintains that the applicant has not demonstrated how this modification is innovative in its design or how it exceeds the public purpose of the existing zoning regulation.

2. Sections 3-507(G), 3-509(C), 3-608(C), 4-109(C) and 4-110(I). Internal and External 50 Foot Permanent Open Space Buffers.

Provision: Section 3-507(G) A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000 square feet or greater.

Provision: Section 3-509(C) A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard (Section 5-1414(B)) shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 6,000 square feet or greater. Such buffer area may be included in open space calculations.

Provision: Section 3-608(C) A permanent common open space buffer of fifty (50) feet in depth with a Category 2 Buffer Yard shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 8,000 square feet or greater. Such buffer area may be included in open space calculations.

Provision: Section 4-109(C) Where residential uses in a PD-H district adjoin a single-family residential, agricultural, or residential district or land bay allowing residential uses, or a commercially zoned development approved subject to proffers prior to adoption of this ordinance, the development shall provide for either:

- (1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter; or,
- (2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.

Provision: Section 4-110(I) Where residential uses in a PD-H district adjoin a single-family residential, agricultural, residential district or land bay allowing residential uses, the development shall provide for either:

- (1) Single family dwellings on minimum lots of (20,000) square feet or greater, exclusive of major floodplain, along such perimeter, or;
- (2) A permanent open space buffer along such perimeter at least fifty (50) feet in width, landscaped with a Type 2 Buffer Yard.

Applicant Request: To eliminate the buffer yard between all residential land bays internal to the property.

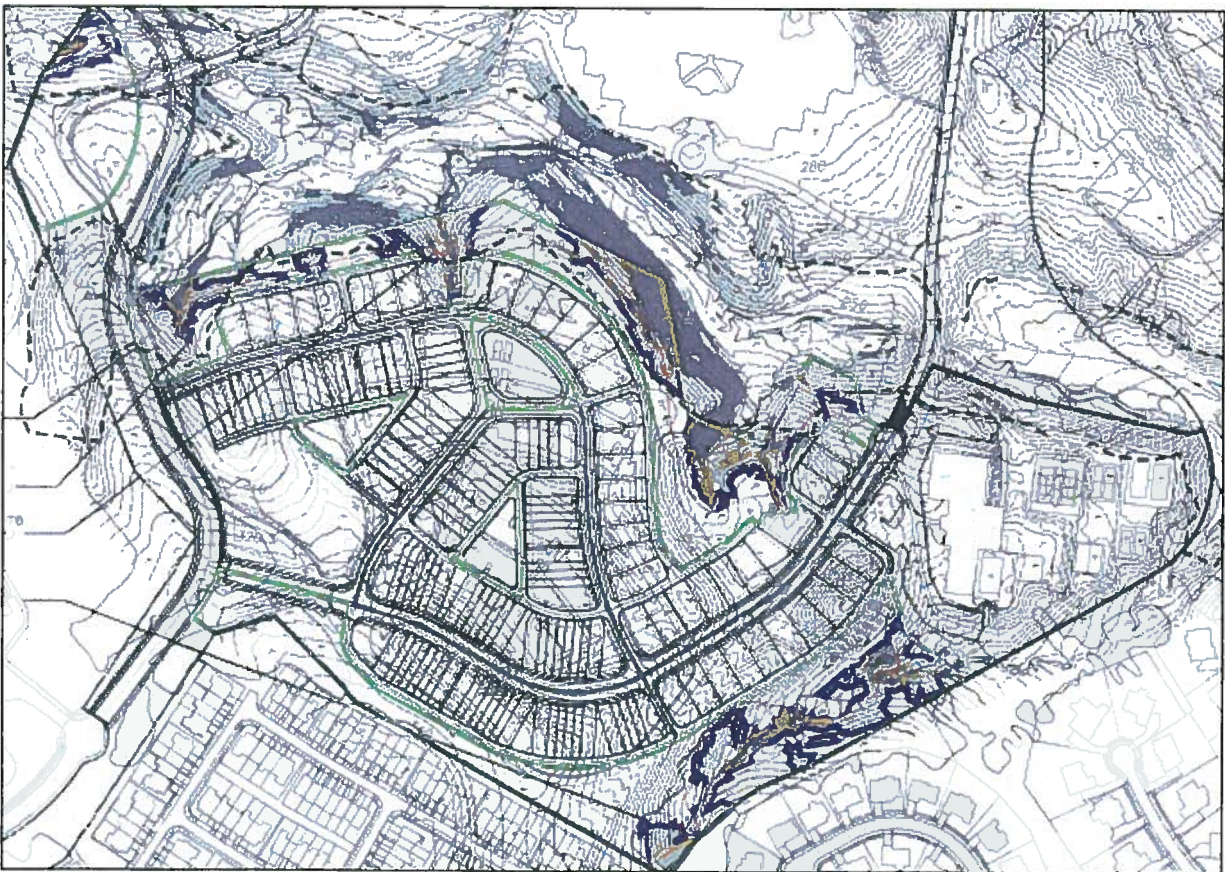
Applicant Justification: The Applicant believes the proposed elimination of the internal open space buffer yards both provides for innovative development and improves upon the existing regulations. The Applicant believes that the following must be considered when determining the requested ZMOD:

- Proposal allows consolidation of open space on edge of property (instead of throughout the development), allowing protection of mature trees in Tree Conservation Areas and increased distance from adjoining residential and PD-SA districts.
- Proposal has been designed around three community gardens which will become focal points of the community. Without the proposed ZMOD, these open space areas would be replaced with long fingers of narrow open space between land bays.
- Proposal prevents creation of small pockets of residential units and helps foster sense of community.
- Proposal reduces need for impervious surfaces by reducing amount of required road, alleyway and sidewalk coverage.
- The proposed community will be within a relatively small PD-H district. The open space buffer yards are more appropriate for larger developments with numerous

neighborhoods to allow each neighborhood to have its own identity. We're proposing a small development with only one neighborhood.

The Applicant notes only minimal portions of open space on the edge of the Property are within areas of very steep slopes. This is clearly a very low percentage of the open space, however, Zoning Ordinance definition of open space suggests that "Generally, open space is intended to provide light and air and is designed for either scenic or recreational purposes." Obviously, in areas of very steep slopes, the open space will be filling more of a scenic purpose, but the significant amount of open space outside of these areas will be providing for recreational purposes.

Staff Analysis: Large portions of the open space land bays O-1 (see CDP – northern perimeter) and O-5 (see CDP – southern perimeter) contain moderately steep and very steep slopes, which reduces the ability of these areas to be used for open space purposes (see environmental constraints graphic - below). Staff maintains that the applicant has not demonstrated how these modifications are innovative in their design or how they exceed the public purpose of the existing zoning regulation.



3. Section 4-110(B). Site Planning - Internal Relationships

Provision: All arterial and collector streets serving a PD-H District, and all streets of any size serving residential uses (except townhouse and multifamily) within a PD-H district, shall be designed and constructed to VDOT standards for inclusion in the state highway system. Roads serving townhouse and multifamily uses only may be designed and constructed to private streets standards set forth in the Facilities Standards Manual.

Applicant Request: To allow single family detached units to be served by private streets.

Applicant Justification: The applicant believes the proposed ZMOD constitutes an innovative design for the following reasons:

- Proposal will allow the provision of narrower roads and reduce impervious surfaces and surface run-off.
- Provision of narrower streets will assist fostering of a sense of community and pedestrian activity and connectivity. This is based on the concept that traffic flows slower along narrower streets with on-street parking.
- Proposal will allow development of a consistent streetscape throughout development and not result in the development of both public and private streets within the neighborhood.
- Proposed roads will be constructed to meet FSM standards, but privately maintained resulting in less financial burden on County residents.

Staff Analysis: The land area preserved by incorporating private streets is placed at the perimeter of the property in areas containing moderately and very steep slopes which makes it impractical to use. Staff maintains that the applicant has not demonstrated how this modification is innovative in its design or how it exceeds the public purpose of the existing zoning regulation.

4. Section 4-110(D) Site Planning-Internal Relationships.

Provision: Vehicular access to public streets, from off-street parking and service areas serving less than eighty (80) dwelling units, may be directly to the street via a single point of access. Vehicular access, from off street parking and service areas serving eighty (80) or more units, shall require two (2) or more points of access. Determination of number of the actual dwelling units served shall be based on normal routing of traffic anticipated in the development.

Applicant Request: To modify this Section to permit 212 dwelling units to be served by one point of access (in the event the Board of Supervisors does not grant the road connection across County-owned property).

Applicant Justification: The Concept Development Plan submitted as part of this application proposes two accesses to the Property, with a second access linking the Property with Kipheart Drive to the north. The route of this second access will require the use of approximately 5,000 square feet of land currently in the ownership of the Board of Supervisors. The Applicant believes that the second access to the Property would provide a significant benefit to residents of Lansdowne by increasing vehicular connections with Route 659, and pedestrian connections with Upper Belmont Middle School, the Sports-Plex/Community Center on the Property and the Lansdowne Sports Park. The Applicant has met several times with Staff from the Parks, Recreation and Community Services and proposed a land swap where 2 acres of open space will be dedicated to the County providing an extension to the Lansdowne Sports Park.

This zoning modification has been requested in the event that the Board of Supervisors is not willing to provide land needed for the second access to the Property. In this situation, the proposed development would be served by only one access. This would also be the case if the Property was developed with a by-right office use, however, the residential development would generate approximately 90% less daily vehicles trips than the by-right office use. The Applicant, therefore, believes that the zoning modification would improve upon the existing regulations.

Staff Analysis: The applicant has added a second vehicular connection to the development via Kipheart Drive which crosses a portion of the Lansdowne Sports Park (County owned facility). The applicant is continuing to request a modification to allow 212 units to be served by a single access in the event the Board of Supervisors does not grant the additional connection across the Park property. If the Board does not allow a second access to Kipheart Place, staff would not support this modification request. Fire and Rescue, Transportation, Zoning, and Planning staff continue to cite concerns about pedestrian and vehicular safety and the volume of additional traffic on Upper Belmont Place if a second road connection is not provided for this development. The National Conference Center would continue to use Upper Belmont Place as a single point of access if a second connection is not made. Staff continues to question how this modification exceeds the public purpose and improves on the existing regulations.

5. Section 5-1103(A). General Location Requirements. Parking Facilities.

Provision: All parking facilities shall be provided on the same lot or parcel of land being served, or on a separate lot or parcel of land within five hundred (500) feet of the principal entrance of the building lot being served, if the zoning classification of such separate lot or parcel of land is the same as or less restrictive than the classification of the lot upon which the use is located.

Request: Request to permit the use of the existing parking facilities on a separate lot or parcel more than 500 feet from the principal entrance of the building lot being served.

Applicant Justification: As part of this rezoning application, the Owner has expressed a need to maintain the use of the Parking Lot until the proposed parking garage has been constructed. This would result in parking spaces on a separately owned lot in a PD-H district serving the PD-SA district's NCC. The Zoning Administrator has determined that the continued use of these parking lots by the National Conference Center can be achieved through the commitment to a proffer prohibiting the removal of existing parking spaces from the Property until the necessary parking spaces required by the National Conference Center are provided on its property.

The Applicant believes that this zoning modification improves upon the existing regulations by allowing the continued use of an existing parking facility, rather than requiring construction of new surface parking lots on previously undeveloped portions of the National Conference Center property only for them to be removed once the anticipated parking garage (not covered by this application) has been constructed.

Staff Analysis: The applicant is requesting this modification to allow the two existing parking lots (that are located on the subject site) to continue to serve the parking needs for National Conference Center events while a new parking garage is constructed. Staff can support this modification provided that the parking requirements for the Conference Center are always met during the development of the new parking garage and during the construction of the residential units.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1211(E) of the Revised 1993 Zoning Ordinance states, "...If the application is for a reclassification of property to a different zoning district classification on the Zoning Map, the applicant shall address all the following in its statement of justification or plat unless not applicable. The Planning Commission shall give reasonable consideration to the following matters:

Standard *Whether the proposed zoning district classification is consistent with the Comprehensive Plan.*

Analysis *The proposal is consistent with the Residential use / density policies of the Revised General Plan. However, staff has identified unresolved issues with environmental impacts, open space / civic use impacts, and capital facilities impacts.*

Standard *Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.*

Analysis The proposed residential use is compatible with the residential uses to the south and east of the subject site. The proposal is not compatible with the existing PD-SA uses north of the subject site.

Standard *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.*

Analysis Public utilities and infrastructure will be extended to serve the development. Traffic impacts have not been mitigated. The intersection at Riverpoint Drive and Upper Belmont Place will have unacceptable levels of service. The schools serving the site are over capacity or close to capacity.

Standard *The effect of the proposed rezoning on the County's ground water supply.*

Analysis No concerns have been identified regarding the groundwater supply. The site will be served by public water and sewer facilities.

Standard *The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.*

Analysis No concerns have been identified regarding the structural capacity of the soils.

Standard *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.*

Analysis The amount of traffic anticipated by the rezoning is approximately 1,736 average daily trips. The site will be accessed through the extension of Upper Belmont Place. The applicant is proposing to provide a road / sidewalk connection between Upper Belmont Place and existing Kipheart Drive.

Standard *Whether a reasonably viable economic use of the subject property exists under the current zoning.*

Analysis A reasonably viable economic use of the property exists under the current PD-SA zoning designation.

Standard *Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.*

Analysis The Comprehensive Plan calls for the development of residential uses on the property. The proposal does not provide any employment opportunities and does not enlarge the tax base. It proposes the reduction of a unique zoning district that supports employment opportunities in the County.

Standard *Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.*

Analysis The application is proposing the development of 212 additional residential units. The current PD-SA area contains one of the largest corporate training facilities in the Eastern United States in a secure environment. Staff is concerned that future land use conflicts could occur based on the residential encroachment.

Standard *Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the county and the capacity of existing and/or planned public facilities and infrastructure.*

Analysis The application will provide 212 residential units in an area planned for residential development. Staff has identified concerns regarding transportation and public school impacts.

Standard *The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.*

Analysis A total of 23 affordable units are proposed in accordance with the provisions of the Revised 1993 Zoning Ordinance.

VI. ATTACHMENTS	PAGE NUMBER
1. Review Agency Comments	
a.Community Planning 9/16/09, 7/30/09, 6/11/09, 10/30/08, 5/6/08, 10/22/07	A-1
b.Zoning Administration 6/11/09, 12/7/07	A-37
c.Transportation 9/30/09, 9/14/09, 10/30/08, 04/21/08	A-72.1
d.VDOT 6/11/09	A-97
e.ERT 2/2/09, 10/30/07	A-98
f.Public Schools 5/15/09	A-105
g.Economic Development 5/25/09	A-107
h.Parks, Recreation & CS 9/28/09, 6/22/09, 11/15/07	A-108
i.Fire & Rescue 6/12/09	A-121
j.Loudoun Water 10/9/09	A-122
k.Proffer Matrix Team 7/30/09	A-123
2. Disclosure of Real Parties in Interest	A-126
3. Applicant's Statement of Justification 9/24/09	A-156
4. Applicant's responses 9/9/09, 4/27/09, 9/19/08, 3/6/08 traffic memos / studies 9/18/09, 7/10/08, 3/6/08, 7/9/07	A-168
5. Proffer Statement dated 9/25/09	A-360
6. Concept Development Plan / Exhibits	Attached